

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

July 14, 2010

MOTOR CARRIER MATTER

☒

DOCKET NO.

2009-431-T

UTILITIES MATTER

☐

ORDER NO.

SUBJECT:

Docket No. 2009-431-T - Application of Kenneth Landert d/b/a Kountry Trans. (f/k/a Kenneth J. Landert d/b/a Kountry Limo), 1629 East North Street, Suite 2, Greenville, South Carolina 29607 (District 4) for Class C (Charter) Certificate of Public Convenience and Necessity – Discuss with the Commission a Petition for Reconsideration and/or Rehearing of Commission Order No. 2010-191 Filed by the Applicant.

COMMISSION ACTION:

Mr. Landert filed his Application for a Class C Charter Certificate in this Docket on October 15, 2009. Yellow Cab Company of Greenville, Inc. was granted a Petition to intervene on January 8, 2010, and a hearing was held on February 2, 2010. The testimony and other evidence in the record show that Mr. Landert operated a passenger carrier for hire without obtaining authority. This Commission credited the testimony of witnesses who testified that he continued operating as a motor carrier after having been cited for operating without authority, and in doing so, found that the applicant's denial of such continued violations were not credible. Additionally, the record includes documentary evidence as well as live admissions by the applicant from the witness stand of multiple moving violations, accidents, and driver license suspensions. In our judgment, the applicant's driving history demonstrates lack of fitness to operate as a motor carrier for hire. For these reasons, the evidence in this matter supports our conclusion in Order No. 2010-191 to reject and deny the Application. Accordingly, I move to deny the Petition for Reconsideration and/or Rehearing.

PRESIDING: FlemingSESSION: RegularTIME: 2:30 p.m.

	MOTION	YES	NO	OTHER
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HALL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Not Voting</u>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MITCHELL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Commissioner Hall was not a member of the Commission at the time of the Hearing

(SEAL)

RECORDED BY: J. Schmieding

